

REMARKS

Applicants appreciate the courtesies extended to their representative, Allan A. Fanucci, by Examiner Alexander Markoff during a telephone interview on August 18, 2009. The comments appearing herein are essentially the same as those presented and discussed with the Examiner during the interview.

Claims 23, 29-31, 35-37, 42, 47-48, 50-58, 60-62, and 67, as amended, are presented in this application. Independent claims 23, 58, and 62 are amended to clarify the subject matter of the claims, particularly with respect to the cleaning operation of the dispenser wherein, due to the internal location of the cleansing fluid, the cleaning operation can be carried out without having to connect an external source of cleaning fluid to the dispensing path each time cleaning is needed. This change merely clarifies what was previously stated and is supported by the specification at paragraph [0063] of the published specification and in the corresponding paragraph of the application as originally filed. As no new matter has been introduced, these amendments should be entered at this time to reduce the issues for appeal by placing the claims in condition for allowance.

Claims 23, 29-31, 35-37, 42, 47, 48, 50-58, 60-62 and 67 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement for the reasons stated in the office action on page 2. With respect to claims 23, 58, and 62, the current amendments now avoid any inconsistency between the specification and claims as it is clear that due to the provision of a cleansing fluid supply located within the housing, and a cleansing fluid path that at least partially includes that portion of the dispensing path from the mixing bowl to the outlet, there is no need to connect an external source of cleaning fluid to the dispensing path each time cleaning is needed. As noted, support for this change appears in paragraph [0063] of the published specification as well as in other locations. This now clarifies the independent claims so that there are no inconsistencies with the written description. As all other claims depend from the independent claims, the rejection is overcome and should be withdrawn.

Claims 23, 29-31, 35-37, 42, 47-48, 50-58, 60-62, and 65-67 were also rejected under 35 U.S.C. §112, second paragraph, as being indefinite with regard to the use of the terms “dispensing line” and “dispensing path”. Initially, it is noted that claim 62 should not have been rejected for this reason, as the term “dispensing line” did not appear in that claim. Now, applicants have amended claims 23 and 58 to recite “dispensing path” as previously presented in

claim 62. As the term "dispensing line" is no longer used in the claims, the basis for the rejection has been rendered moot and the rejection should be withdrawn.

In view of the above, it is respectfully submitted that the entire application is believed to be in condition for allowance, early notice of which would be appreciated. Should the Examiner not agree, then a personal or telephonic interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of this application.

Respectfully submitted,

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Date

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